

**PRIORITY SEND**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 10-0356-VAP(DTBx)

Date: August 10, 2010

Title: MARIPOSA & SYCAMORE, LLC -v- FEDERAL DEPOSIT INSURANCE CORPORATION, et al.

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard	None Present
Courtroom Deputy	Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFFS:

None	None
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ATTORNEYS PRESENT FOR  
DEFENDANTS:

PROCEEDINGS: MINUTE ORDER RE: OSC FOR FAILURE TO SERVE  
COMPLAINT WITHIN 120 DAYS (IN CHAMBERS)

Plaintiff Mariposa & Sycamore, LLC ("Plaintiff") filed this action on March 10, 2010. Pursuant to Federal Rule of Civil Procedure 4(m), a plaintiff must serve a defendant within 120 days of filing the complaint. Plaintiff accordingly was required to serve Defendant with the complaint no later than July 8, 2010. Plaintiff has not filed a proof of service of the complaint.

Where a "defendant is not served within 120 days after the complaint is filed,

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Initials of Deputy Clerk \_\_md\_\_

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the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action . . ." Fed. R. Civ. P. 4(m). Thus, the Court orders Plaintiff to show cause, in writing, no later than August 18, 2010, why the Complaint should not be dismissed for failure to prosecute.

**IT IS SO ORDERED.**